

REMARKS

The above amendments and these remarks are responsive to the Office action mailed March 1, 2006 and to the Interview Summary mailed June 5, 2006. This response is accompanied by a petition and fee to extend the period for response to the Office action by one month from June 1, 2006 to July 1, 2006.

Prior to entry of the above amendments, claims 1-55 were pending. The Office action indicates that all claims are rejected as being unpatentable over Hansen (U.S. Patent No. 5,812,945) in view of Dahm (U.S. Patent No. 6,466,783).

First addressing the Interview Summary, applicants wish to thank Examiner Tieu for the telephonic interview held May 30, 2006. The applicants' counsel asked Examiner Tieu to reconsider specifically the allowability of claims 40 and 55 on the basis that the two references Hansen and Dahm cited against the claims did not show fraud detection in association with the payment account. Examiner Tieu indicated that the term "fraud detection" is too general, and that he considers the previously cited reference to Henderson to disclose it. Applicants' counsel then suggested language regarding the character of the fraud detection measures, such as assessing a risk level of the transaction and comparing the risk level to a predetermined level. Examiner Tieu agreed that such additional language would distinguish the claimed subject matter over Henderson. The Interview Summary identifies correctly the patent numbers for the references discussed, but includes incorrect names of the associated records. For the record, then, the references are Hansen et al. (US 5,812,945) and Henderson et al. (US 6,327,363). The amendments made to claims 40 and 55 above are in response to Examiner Tieu's suggestion.

Next addressing the Office action, applicants respectfully traverse the remaining rejections. However, in the interest of expedient prosecution, in this response, claims 7, 13,

23, and 46 are also amended to further clarify the subject matter for which applicants seek protection, original claims 8 and 9 are presented for consideration, and claims 1-6, 10-12, 14-22, 24-39, 41-45 and 47-54 are canceled without prejudice. The remaining pending claims are believed to be allowable in light of the cited references. In particular, and as discussed in greater detail below, these claims are believed to be allowable because each recites at least one element not disclosed in the cited references, either alone or in combination.

In view of the aforementioned amendments and the following remarks, applicants respectfully request reconsideration of the application under 37 C.F.R. § 1.111, withdrawal of the rejections, and allowance of the pending claims.

Claims 7-9 recite a predetermined recharge amount

Claim 7 is amended herein to incorporate all of the claim elements of claim 1, from which the claim originally depended, and specifies that the recharge option is “configured to cause the communications program to ... add a predetermined recharge amount to the stored-value calling account.”

In the Office action, no portion of either reference is cited to indicate that this element is disclosed. Rather, the Office action, on page 4, includes the following summary rejection of all of the dependent claims:

Regarding claims 2-23, 25-46 and 48-52, the combination teaches limitations of the claims (see Dahm in figure 2A see col.4, lines 24-62 and col.8, line 36 through col.10, line 67) and (see Hanson in figures 3A to 3F; note col.3, line 53 through col.4, line 7).

Applicants have studied not only the cited portions of the references, but the entire disclosures thereof, and find no teaching or suggestion of the aforementioned element of claim 7. Rather, both references specify that the recharge amount is not predetermined, but that a user is

required to determine the recharge amount. For example, Hansen explains that “the user would decide the amount of the refill” (5:6-7), and Dahm indicates that “the user [enters] a new amount to add to the balance” (10:11-12; Fig. 5F).

As such, since neither reference alone discloses a predetermined charge amount, no combination thereof discloses the element. Moreover, since both references clearly teach away from a predetermined charge amount, there is no motivation to modify the cited combination to include the element.

Thus, the rejection with respect to amended claim 7, and to claims 8 and 9, which depend therefrom, is believed to be inappropriate. Accordingly, applicants request that the rejection be withdrawn.

Claim 13 recites a recharge option as an entry in a contacts list

Claim 13 is amended herein to incorporate all of the claim elements of claim 1, from which the claim originally depended, and specifies that the recharge option is “an entry in a contacts list.”

As with claim 7, no portion of either reference is specifically cited to disclose this element. However, applicants have studied the references and note that Dahm in Fig. 5E indicates a screen display showing a *menu* with a “Recharge Prepaid” option. There is no indication, though, that the option is available from a *contacts list*, as recited in claim 13. As the term is generally understood, a *menu* refers to a list of available functions or operations that is not changeable by a user. A *contacts list*, on the other hand, generally refers to a list of contacts that is changeable by a user. No suggestion in either reference appears to support departing from this distinction.

Also, there is no teaching in either reference that a modification of the “Recharge

Prepaid” option of Dahm may be modified to be an entry in a contacts list, as recited in claim 13. As such, the rejection is believed to be inappropriate. Accordingly, applicants request that the rejection be withdrawn.

Claims 23 and 46 recite use of a toll-free gateway

Claims 23 and 46 are amended herein to incorporate all of the elements of the claims (claims 1 and 24, respectively) from which each claim originally depended. As amended, claims 23 and 46 both specify that the communication program is configured to access “a toll-free gateway in the communication network” when communicating with the recharge service.

No similar element is disclosed in either reference, nor is there any suggestion to modify the proposed combination to include this element. Indeed, Dahm teaches away from providing a toll-free gateway by emphasizing the importance of decreasing operation costs for service providers, rather than for users (such as by providing a toll-free gateway) (*see, e.g.*, 1:58-63; 2:31). As such, the rejections of claims 23 and 46 are believed to be inappropriate. Accordingly, applicants request the rejections be withdrawn.

Claims 40 and 55

Claims 40 and 55 both recite methods of recharging a stored-value account. Claim 40 is amended to include all of the claim elements of claim 24, from which it originally depended, and both claims are amended to further describe fraud detection measures applied. Specifically, the claims recite “applying fraud detection measures ... including assessing a risk level of the transaction by identifying any fraud indicators associated with the payment account, and determining whether the assessed risk level meets or exceeds a predetermined threshold.”

Support for the additional language can be found, for example, in the two new paragraphs added in pages 2-4 of applicants’ Response to Office Action filed on December 22, 2005.

The Office action fails to cite any disclosure in either reference that is asserted to teach the application of fraud detection measures, much less the fraud detection measures recited in amended claims 40 and 55, as discussed in the aforementioned telephonic interview of May 30, 2006. Rather, the teachings of Hansen and Dahm are limited to simple verification procedures. For example, Dahm describes matching a device identification with a stored user identification prior to providing access to account information (10:35-51), but this procedure is not performed in the context of a recharge transaction, nor does it involve the fraud detection measures recited in the amended claims. Similarly, Hansen describes use of a checksum program between an external computer and a user's cellular telephone to complete a refill purchase (5:43-6:21; Figs. 3E and 3F), but fails to teach or even suggest the application of the fraud detection measures recited in the amended claims.

As such, since neither reference, nor any combination thereof, teaches the fraud detection measures recited in claims 40 and 55, and there appears to be no motivation in either reference to modify the combination to include such fraud detection measures, the rejections of these claims over the cited combination are believed to be inappropriate. Accordingly, applicants request the rejections be withdrawn.

Conclusion

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowance covering the pending claims. Please charge any additional fees required, or credit any overpayments, to our Deposit Account No. 11-1540. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

**CERTIFICATE OF ELECTRONIC
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I hereby certify that this correspondence is being submitted electronically via the United States Patent & Trademark Office EFS-Web system on June 29, 2006.

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Respectfully submitted,

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